

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Chin-Chu Chen : Group  
Serial No: 10/657,199 : Art Unit #1651  
Filed: 9 September 2003 : Examiner:  
Title: METHOD FOR PRODUCING NOVEL : S.M. Hanley  
β-LACTAM ANTIBIOTIC FROM  
PROTOPLAST FUSION STRAIN :

**DECLARATION OF SHUI-CHAO TSENG STATING THAT FUSION  
STRAIN CCRC930060 HAS BEEN DEPOSITED UNDER THE  
BUDAPEST TREATY**

Mail Stop – No Fee  
Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Shui-Chao Tseng hereby declare as follows:

- (1) That I am an the President of Grape King Inc., having an address at No. 60, Sec. 3, Lunggang Rd., Jungli City, Taoyuan, Taiwan, R.O.C.;
- (2) That Grape King Inc. is the owner of the entire right, title and interest to the above-referenced Patent Application and that the Assignment has been recorded at the U.S. Patent and Trademark Office on reel 14490/frames 679-683;
- (3) That a form 3.73 (b) is also attached declaring that Grape King Inc. is the owner of the above-referenced Patent Application;

(4) That the fusion strain of penicillium chrysogenum and cephalosporum acremonium was deposited on 7 July 2003 at the China General Microbiological Culture Collection Center (CGMCC) having an address of P.O. Box 2714, Beijing, 100080 the Peoples Republic of China;

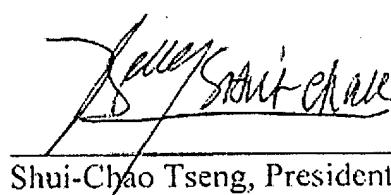
(5) That the file number at the CGMCC is 0976 and the deposit was made under the Budapest Treaty;

(6) That the strain will be irrevocably and without restriction or condition released to the public upon the issuance of a Patent.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the Application or any Patent issued thereon.

Respectfully submitted,  
For: Grape King Inc.

10-6, 2006  
Date

  
Shui-Chao Tseng, President

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: CHIN-CHU CHENApplication No./Patent No./Control No.: 10/657,199 Filed/Issue Date: 9 SEPTEMBER 2003Entitled: METHOD FOR PRODUCING NOVEL B-LACTAM ANTIBIOTIC FROM PROTOPLAST FUSION STRAIN

GRAPE KING INC., a CORPORATION  
 (Name of Assignee) (Type of Assignee: corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest  
 (The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 14490, Frame 679-683, or a true copy of the original assignment is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

(NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

  
 Signature
SHUI-CHAO TSENG

Printed or Typed Name

Date

10-6-2006

Telephone Number

PRESIDENT

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Serial No: 10/657,199 : Art Unit #1651  
Filed: 9 September 2003 : Examiner:  
Title: METHOD FOR PRODUCING NOVEL : S.M. Hanley  
β-LACTAM ANTIBIOTIC FROM :  
PROTOPLAST FUSION STRAIN :

**DECLARATION OF YING-SHIH FENG**

Mail Stop – No Fee  
Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Ying-Shih Feng hereby declare as follows:

- (1) That I am an Inventor in the above-referenced Patent Application filed at the U.S. Patent and Trademark Office;
- (2) That I signed the Declaration for Patent Application on 2 September 2003 as submitted with the above-referenced Patent Application;
- (3) That my Chinese name transliteration is Ying-Shih Feng;
- (4) That I signed the Declaration as "Paul Feng";
- (5) That I use the first name "Paul" in general when I am meeting with persons using Arabic characters and further generally sign documents using "Paul" as the given name.

(6) That the name Ying-Shih Feng and Paul Feng are the same person.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the Application or any Patent issued thereon.

Respectfully submitted,

28 September 2006  
Date

Ying-Shih Feng  
Ying-Shih Feng